

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NY 10007

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

(212) 805-0194

July 17, 2025

Ramzi Kassem
Main Street Legal Services, Inc.
City University of New York School of Law
2 Court Square West, 5th Floor
Long Island City, NY 11101

Jeffrey Stuart Oestericher
Brandon Matthew Waterman
U.S. Attorney's Office, SDNY
86 Chambers Street
New York, NY 10007

Re: Chung v. Trump et al., 25 Civ. 2412 (NRB)

Dear Counsel:

The Court is in receipt of the parties' recent letters regarding next steps in this matter. ECF Nos. 60, 62, 63. As the parties know, defendants noticed an appeal on July 3, 2025, to the Second Circuit "from the Order granting a preliminary injunction entered [by the District Court] on June 5, 2025." ECF No. 61 ("Notice of Appeal"). According to the Government's letter of July 3, 2025, ECF No. 62, the appeal is predicated on the argument that this Court lacked subject matter jurisdiction. Id. Further, the Government's letter represented that it is neither seeking to expedite the appeal nor seeking to stay in the Second Circuit this Court's preliminary injunction order. Id.

Counsel is no doubt well aware that the filing of a notice of appeal constitutes "an event of jurisdictional significance," which "confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58 (1982). To this Court's understanding, supervising the conduct of discovery is not one of the actions a district court can undertake while an appeal is pending.

Very truly yours,



Naomi Reice Buchwald
United States District Judge

Cc: All counsel of record.